

MINING ACT

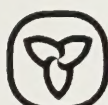
Regulations

March, 1992

This consolidation contains the following Ontario Regulations:


116/91 as amended by Ontario Regulation 251/91
115/91 as amended by Ontario Regulation 252/91
114/91 made under The Mining Act
113/91 as amended by Ontario Regulation 253/91
112/91 made under The Mining Act
taken from the Ontario Gazette - April 6, 1991 and June 15, 1991

Persons using this consolidation are reminded that it has been prepared for convenient reference only and that the original Regulations should be consulted for all purposes of interpreting and applying the Law.



Ontario

Ministry of
Northern Development
and Mines



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GENERAL

Ontario Regulation 113/91 as amended by Ontario Regulation 253/91 made under The Mining Act

1. In the definition of "mine" as a noun in section 1 of the Act, a prescribed substance is any discharge or waste produced as a result of washing, crushing, grinding, sifting, reducing, bleaching, roasting, smelting, refining, treating or research on a mineral or mineral bearing substance.
2. The annual rental for a licence of occupation under section 41 of the Act is \$5 per hectare.
3. The annual rental for a lease or renewal lease under section 81 of the Act is \$5 per hectare for mining rights and surface rights and \$3 per hectare for mining rights only.
4. The annual rental for a lease or renewal lease under section 82 of the Act is \$5 per hectare for mining rights and surface rights and \$3 per hectare for mining rights only.
5. The annual rental for a lease or renewal lease of surface rights under section 84 of the Act is \$5 per hectare.
6. The following conditions apply with respect to the partial abandonment of a mining claim under subsection 70(2) of the Act:
 1. Before the notice of partial abandonment is filed, the first prescribed unit of assessment work for the claim must be completed and the report of assessment work must be filed and approved.
 2. The notice of partial abandonment shall be filed at least sixty days before the next anniversary date of the claim.
 3. The portion of the claim remaining after partial abandonment must be contiguous.
 4. Any assessment work performed on the portion of the claim being abandoned lapses upon the filing of the notice of partial abandonment unless the report of assessment work for that work has been filed and approved.
 5. The amount of assessment work credits applied to the claim shall be reduced by the proportion that the area of the portion of the claim being abandoned bears to the total area of the claim.

7. The rate of interest under subsection 181(2) of the Act is 9 per cent.
8. (1) A person who files a notice of intention to retain an interest in surrendered mining lands under subsection 183(2) of the Act shall, within 120 days after the filing of the notice, stake out and record or cause to be staked out and recorded mining claims on the lands in which an interest is to be retained.
- (2) The claims shall be staked out and recorded in the size, form and manner specified in the Act and the regulations.
9. The mining land tax payable under section 187 of the Act is,
- (a) \$1.2356 per hectare for 1991;
 - (b) \$2 per hectare for 1992 and 1993;
 - (c) \$4 per hectare for 1994 and 1995; and
 - (d) \$8 per hectare for 1996 and each subsequent year.
- 10.(1) The following documents may be filed in a recorder's office by the telephone transmission of a facsimile of the document, if the facsimile is legible when received and the number of pages being transmitted, including the cover page, does not exceed eleven:
- 1. An application to obtain or renew a prospector's licence.
 - 2. An application to record a mining claim.
 - 3. A dispute under section 48 of the Act.
 - 4. A notice of re-staking of a mining claim.
 - 5. An order, judgement or certificate of the Divisional Court being filed under section 64 of the Act.
 - 6. A report of assessment work, if no drawing contained in the report is larger than 8 1/2 inches by 14 inches.
 - 7. A notice of abandonment or partial abandonment.
 - 8. A certificate confirming that a notice of intention to perform assessment work has been given under section 78(1) of the Act.
 - 9. An agreement respecting surface rights compensation.
 - 10. An application for a lease.
 - 11. A notice of appeal to the Commissioner under section 112 of the Act.
 - 12. An order or judgment of the Commissioner being filed under section 129 of the Act.
 - 13. A notice of appeal to the Divisional Court under section 134 of the Act.
 - 14. An order of a Director of Mine Rehabilitation for the performance of a rehabilitation measure under section 145 (1-6) of the Act.

10. (2) If an application to record a mining claim or a notice of abandonment or partial abandonment is filed by telephone transmission, the original application or notice shall be deposited in the recorder's office within ten business days after the date of the transmission.
10. (3) If the original is not deposited in the recorder's office within the time specified in subsection (2), the application or notice shall be deemed not to have been filed by telephone transmission.
11. A document filed by telephone transmission shall include a cover page containing the following information:
 1. The name, address and telephone number of the person on whose behalf the document is being filed and the person's licence number and client number, if any.
 2. The name of the recorder's office to which the document is being transmitted.
 3. If applicable, a list of the mining claims in respect of which the document is to be recorded, if this information is not already set out in the document.
 4. The date and time of the transmission.
 5. The total number of pages being transmitted, including the cover page.
 6. The name and telephone number of a person to contact in the event of transmission problems.
 7. A statement indicating that the transmission is being made from an original document.
12. (1) The time of filing a document filed by telephone transmission shall be deemed to be the time the transmission is completed in the recorder's office, as evidenced by the time shown on the last page of the transmission as printed in the recorder's office.
12. (2) If the telephone transmission of a document is completed in the recorder's office after 4:30 p.m. local time in a day the office is open for business, or at any time on a day the office is not open for business, the time of filing the document shall be deemed to be 8:15 a.m. on the next day that the office is open for business.
12. (3) Documents filed by telephone transmission during a period referred to in subsection (2) shall be deemed to have been filed in the order they were received in the recorder's office, as evidenced by the time shown on the last page of each transmission as printed in the recorder's office.

13. If fees are required to be paid to a recorder in respect of the filing of a document that is being filed by telephone transmission, the time of filing shall be deemed to be the later of the time of filing determined under section 12 and the time the fees are received in the recorder's office.

Commencement

14. This Regulation comes into force on the day section 82 of the **Mining Amendment Act, 1989** comes into force.

CLAIM STAKING

Ontario Regulation 115/91 as amended by Regulation 252/91 made under The Mining Act

1. Sections 2 and 3 apply with respect to mining claims staked out in unsurveyed territory or in an annulled part of a subdivided township.
2. (1) A mining claim shall be staked out so that it,
 - (a) consists of one or more square 16-hectare units;
 - (b) has a contiguous area of not less than 16 hectares, and not more than 256 hectares, more or less;
 - (c) has boundaries running north and south and east and west astronomically; and
 - (d) has the form of a rectangle.
2. (2) The size of a mining claim shall as nearly as practicable be a multiple of 16 hectares.
2. (3) The boundaries of a mining claim shall extend downwards vertically on all sides.
2. (4) The length of any boundary of a mining claim shall not exceed 3,200 metres, more or less, and shall not exceed four times the length of any other boundary.
2. (5) The measurements of the boundaries of a mining claim shall be horizontal.
3. (1) An irregular area of land lying between land not open to be staked out, or bordering on water, may be staked out with boundaries coterminous to the land or water, but the mining claim shall be made to conform as nearly as practicable to the form and size specified in section 2.
3. (2) Land covered with water may be included in a mining claim in the same way as land not covered with water.
4. Sections 5 to 7 apply with respect to mining claims staked out in surveyed territory other than an annulled part of a subdivided township.

5. (1) A mining claim shall be staked out so that it,
- (a) has an area of not more than 256 hectares, more or less, and not less than the minimum size specified in this section;
 - (b) has boundaries coincident with or parallel to lot or concession lines established by the original survey; and
 - (c) has the form of a rectangle or parallelogram.
5. (2) A mining claim may consist of contiguous lots or parts thereof, quarter sections or subdivisions of a section in any combination.
5. (3) The boundaries of a mining claim shall extend downwards vertically on all sides.
5. (4) The length of any boundary of a mining claim shall not exceed 3,200 metres, more or less, and shall not exceed four times the length of any other boundary.
5. (5) Every survey of a mining claim,
- (a) shall describe the parts of the lots or sections shown in the original survey of the township that are included within the limits of the claim together with their areas; and
 - (b) shall be governed by the lot and concession lines established by an existing survey and not by the location of corner posts.
5. (6) In a township surveyed into sections of approximately 260 hectares that are subdivided into quarter sections or subdivisions containing approximately 65 hectares, a mining claim of minimum size shall contain 16 hectares, more or less, and shall consist of the northeast, northwest, southeast or southwest quarter of a quarter section or subdivision.
5. (7) In a township surveyed into lots of approximately 130 hectares a mining claim of minimum size shall contain 16 hectares, more or less and shall consist of the northeast, northwest, southeast or southwest quarter of the north half of a lot or an equivalent quarter of the south half of a lot.
5. (8) In a township surveyed into lots of approximately 80 hectares, a mining claim of minimum size shall contain 20 hectares more or less, and shall consist of the northeast, northwest, southeast or southwest quarter of a lot.
5. (9) In a township surveyed into lots of approximately 60 hectares, a mining claim of minimum size shall contain 15 hectares more or less and shall consist of the northeast, northwest, southeast or southwest quarter of a lot.

5. (10) In a township surveyed into lots of approximately 40 hectares, a mining claim of minimum size shall contain 20 hectares, more or less, and shall consist of the north, south, east or west half of a lot.
6. (1) A mining claim shall be staked out in accordance with this section if it is impossible to stake out a claim of the applicable form and size specified in section 5 because the lot or subdivision of a section being staked out is covered with water or is irregular in form or for some other reason relating to the nature of the lot or subdivision.
6. (2) The mining claim shall as nearly as practicable be of the applicable form and size specified in section 5.
6. (3) The mining claim shall have such, if any, of its boundaries as can be so made coincident with boundary lines of the lot or subdivision of a section being staked out and shall have as many as possible of its boundaries that are not so coincident parallel to boundaries of the lot or subdivision that are straight lines.
6. (4) If necessary in order to procure the applicable size specified in section 5, the mining claim,
 - (a) may extend into any part of the lot or subdivision of a section being staked out; and
 - (b) may include land lying between parcels of land not open to be staked out or between such land and the lot or subdivision of a section being staked out.
7. Land that would otherwise be included in the area of a lot or subdivision of a section, but that is excluded from the lot or subdivision because it is covered with water or for some other reason, may be included in a mining claim as if it were part of the lot or subdivision.
8. (1) The staking out of a mining claim shall be a continuous action.
8. (2) A licensee shall stake out a mining claim by erecting a post at each of the four corners of the claim so that,
 - (a) the No. 1 post is at the northeast corner;
 - (b) the No. 2 post is at the southeast corner;
 - (c) the No. 3 post is at the southwest corner; and
 - (d) the No. 4 post is at the northwest corner.

8. (3) A corner post tag affixed to a corner post shall face the next post following the post in the order specified in subsection (2).
8. (4) Where there are standing trees on the area being staked, the perimeter of the mining claim shall be clearly marked during staking by plainly blazing the trees on two sides only in the direction of travel and by cutting the underbrush along the boundary lines of the claim.
8. (5) Despite subsection (4), the perimeter of a mining claim or portion of a claim located in an area referred to in subsection 32(1) of the Act may be clearly marked by securely affixing durable flagging tape to standing trees and underbrush along the boundary lines of the claim.
8. (6) Where there are no standing trees on the area being staked, the perimeter of the mining claim shall be clearly marked during staking by erecting durable pickets or monuments of earth or rock along the perimeter so that the boundary lines of the claim are clearly outlined.
8. (7) A licensee staking out a claim may use other persons to assist him or her in constructing posts and marking the perimeter of the claim.
8. (8) If a claim is staked in an area open to staking for twenty-four hours or more, the licensee shall inscribe on one of the corner posts the date and time of completion of the staking.
8. (9) If the area to be staked has been open to staking for less than twenty-four hours,
 - (a) the staking shall commence in the northeast corner of the mining claim and proceed in a clockwise direction;
 - (b) a single licensee shall erect and inscribe all posts; and
 - (c) the date and time of commencement and completion of the staking shall be inscribed on the No. 1 post.
9. (1) If a mining claim consists of a block of two or more 16-hectare units and is staked out in unsurveyed territory or an annulled part of a subdivided township, line posts shall be erected along the perimeter of the claim at 400 metre intervals, more or less.
9. (2) If a mining claim consists of a block of two or more 16-hectare units and is staked out in surveyed territory other than an annulled part of a subdivided township, line posts shall be erected at all locations where the corner of a lot or subdivision of a section lies on the perimeter of the claim.

10. (1) Witness posts shall be erected in accordance with this section for a corner of a mining claim at which it is impracticable to erect a corner post for one of the following reasons:
1. The nature or conformation of the ground makes the erecting of a corner post impracticable.
 2. The true location of the corner falls within a body of water.
 3. The corner is inaccessible because of incumbent surface rights.
10. (2) The witness posts shall be erected at the nearest practicable points to the true corner on each boundary of the claim so that the extensions of each boundary to the corner will intersect.
10. (3) The first erected witness post shall bear the same marking and tag as that required for a corner post at the true corner, together with the letters "WP" and an indication of the direction and distance of the site of the true corner from the witness post.
10. (4) The other witness post shall bear the letters "WP", the corner post number for the true corner and an indication of the direction and distance of the site of the true corner from the witness post.
- 11.(1) If the nature or conformation of the ground at the true location of a line post makes the erecting of a line post impracticable, a line post need not be erected at that location if a witness post is erected on the claim boundary on each side of the impracticable area at the nearest practicable point to the true location.
- 11.(2) If the true location of a line post falls within a body of water, a line post need not be erected at that location if a witness post is erected on the claim boundary on each side of the body of water at the nearest practicable point to the true location.
- 11.(3) If the true location of a line post is inaccessible because of incumbent surface rights, a line post need not be erected at that location if a witness post is erected on the claim boundary on each side of the incumbent surface rights boundary at the nearest practicable point to the true location.

12. (1) Every claim post used for staking a mining claim shall stand 1.2 metres above the ground when erected and be squared or faced on four sides for thirty centimetres from the top, and each side shall be ten centimetres across where squared or faced.
12. (2) Claim posts shall be erected only by a licensee.
12. (3) Every claim post shall be a post or standing stump not previously used as a post for a mining claim.
12. (4) Commercial timber may be used for claim posts in areas where it is impracticable or undesirable to cut down trees.
13. (1) A licensee staking a claim using metal tags,
 - (a) shall affix to each corner post the appropriately numbered tag in accordance with subsection 8(2); and
 - (b) shall inscribe on each corner post his or her name and licence number and the date and time of erecting the post.
13. (2) A licensee staking a claim without using metal tags shall inscribe on each corner post,
 - (a) the number of the post in accordance with subsection 8(2); and
 - (b) his or her name and licence number and the date and time of erecting the post.
13. (3) If a claim is located in a township surveyed into lots, quarter sections or subdivisions of a section, the licensee staking the claim shall inscribe on the No. 1 corner post a description of the part of the township comprised in the claim, mentioning the lot and concession or the section by number.
13. (4) A licensee staking a claim using metal tags shall inscribe on the line post tag attached to each line post the claim number and the direction and distance from the corner post from which the licensee is proceeding.
13. (5) A licensee staking a claim without using metal tags shall inscribe upon each line post his or her licence number and the direction and distance from the corner post from which the licensee is proceeding.

13. (6) Inscriptions and line post tags on line posts shall be located,
- (a) on the south face of any line post erected between the No. 1 corner post and the No. 2 corner post;
 - (b) on the west face of any line post erected between the No. 2 corner post and the No. 3 corner post;
 - (c) on the north face of any line post erected between the No. 3 corner post and the No. 4 corner post; and
 - (d) on the east face of any line post erected between the No. 4 corner post and the No. 1 corner post.
13. (7) Information required to be inscribed on a claim post or metal tag shall be inscribed in a legible and durable manner.
13. (8) Inscriptions and metal tags shall be located on the same side of a claim post.
14. (1) If metal tags are affixed to the corner posts and line posts at the time of staking out a mining claim, the licensee who staked out the claim shall so indicate in the application to record the claim.
14. (2) If metal tags are not used at the time a mining claim is staked out, as soon as possible after the recording of the claim but not later than six months thereafter, the holder of the claim,
- (a) shall affix or cause to be affixed to each corner post of the claim a corner post tag inscribed with the recorded number of the claim; and
 - (b) shall affix or cause to be affixed to each line post of the claim a line post tag inscribed with the information specified in subsection 13(4).
15. (1) If a licensee uses metal tags in staking out a group of two or more contiguous mining claims and the licensee applies to record the claims at the same time, the licensee may erect common posts at common corners or at common line post or witness post locations if,
- (a) the corner post tag and the inscription pertaining to each claim are placed on the side of the common corner post facing the next corner post for that claim in a clockwise manner;
 - (b) the line post tag and the inscription pertaining to each claim are placed on the side of the common line post facing the next corner post for that claim in a clockwise manner;
and
 - (c) the sketch or plan accompanying the application to record the claims indicates any common posts so erected.

15. (2) If a licensee stakes out a group of two or more contiguous mining claims without using metal tags at the time of staking and the licensee applies to record the claims at the same time, the licensee may erect common posts at common corners or at common line post or witness post locations if,
- (a) the inscription pertaining to each claim is placed on the side of the common post facing the next corner post for that claim in a clockwise manner; and
 - (b) the sketch or plan accompanying the application to record the claims indicates any common posts so erected.
16. (1) Subject to subsection (3), a person who stakes out any land open to prospecting or erects or places any post or marking upon any land open to prospecting, in manner not in accordance with the Act and this Regulation, is not entitled to record a mining claim on the land or to stake out the land again.
16. (2) Subject to subsection (3), a person who stakes out any land open to prospecting and fails to make an application to record the claim within the time specified in subsection 44(1) of the Act is not entitled to record a mining claim on the land or to stake out the land again.
16. (3) A person ceases to be disentitled under subsection (1) or (2) if the person notifies the recorder in writing of the staking out or post or marking and of the person's abandonment of it, satisfies the recorder that the person acted in good faith and for no improper purpose and obtains from the recorder a certificate stating that the recorder is satisfied that the person so acted.
16. (4) A recorder who issues a certificate referred to in subsection (3) shall enter the certificate in his or her books with its date of issue.

17. If it appears that a licensee has attempted in good faith to comply with the Act and this Regulation, a mining claim of the licensee is not invalidated by,
- (a) the inclusion in the claim of an area of more or less than the applicable size specified in section 2 or 5; or
 - (b) the failure of the licensee to describe or set out the actual area or parcel of land staked out in the application to record the claim or the sketch or plan accompanying the application.

Commencement

18. This Regulation comes into force on the day section 82 of the **Mining Amendment Act, 1989** comes into force.

ASSESSMENT WORK

Ontario Regulation 116/91 as amended by Ontario Regulation 251/91 made under The Mining Act

1. In this Regulation "assessment year" means,
 - (a) the year between the date of recording of a claim and the first anniversary date; and
 - (b) the year between anniversary dates.
2. Until a lease is applied for, the holder of a mining claim shall perform on that claim assessment work having the minimum value specified in Column 2 within the period specified in Column 1:

COLUMN 1	COLUMN 2
Number of assessment years after the recording of the claim	Cumulative value of assessment work for each 16-hectare unit in the claim
1	\$0
2	400
3	800
4	1200
5	1600
6	An additional
and subsequent years	\$400 per year

3. (1) Expenses incurred by the holder of a mining claim are eligible for credit as assessment work if they are related to a type of work eligible for assessment work credit under this Regulation and if they,
 - (a) are direct expenses related to labour and field supervision, contractor's and consultant's fees, supplies used and equipment rental; or
 - (b) are indirect expenses related to,
 - (i) the transportation of supplies from the point of procurement to the mining claim,
 - (ii) the shipment of samples, assays and chemical analyses of samples from the claim,
 - (iii) food and lodging,
 - (iv) the mobilization and demobilization of equipment and crew, or
 - (v) the transportation of persons within the Province of Ontario to and from the claim.

- 3. (2) Indirect expenses are eligible for credit to a maximum of 20 per cent of the direct expenses.
- 3. (3) No credit shall be given for indirect expenses related to rehabilitation work.
- 3. (4) If the holder of a mining claim personally works on the claim, that work is eligible for assessment work credit at a value based on industry standards for similar work.
- 3. (5) Expenses are eligible for work assessment credit only if they are reasonable and carried out for the purposes of exploration.
- 4. (1) Subject to sections 8 and 21, assessment work performed on a mining claim in any assessment year is eligible for assessment work credit if filed within sixty months after the date of performance.
- 4. (2) Assessment work filed for credit within twenty-four months after the date of performance shall be credited at 100 per cent of the value.
- 4. (3) Assessment work filed for credit after twenty-four and before sixty months after the date of performance shall be credited at 50 per cent of the value.
- 4. (4) Assessment work credits filed in excess of the minimum value described in section 2 shall be banked by the recorder and carried forward indefinitely.
- 4. (5) Upon the request of the holder, the banked amount may be applied against assessment work requirements for that mining claim or other contiguous mining claims under section 7, for the current assessment year and up to a maximum of five subsequent assessment years.
- 4. (6) The excess amount is a credit in respect of the relevant mining claim even if the claim is transferred or leased but reverts to zero if the claim is forfeited or otherwise terminated.

5. An application for an extension of time under subsection 73(1) of the Act may be granted on the following conditions:
1. There is no deficiency of assessment work yet to be performed under any previous extension of time granted for performing and filing assessment work.
 2. The length of the extension does not exceed one year.
6. (1) All work reports shall be filed in duplicate in the prescribed form in the office of the recorder for the area in which the claims are located and the recorder shall forward a copy to the Minister for approval.
6. (2) The Minister may reject assessment work submitted for work credit if,
- (a) the assessment work has not in fact been carried out on the mining claim;
 - (b) the work report is incomplete;
 - (c) the data presented in the work report is not in a comprehensible form;
 - (d) the work report is not accompanied by adequate technical support data as required by this Regulation;
 - (e) the cost claimed for assessment work credit exceeds the industry standard for similar work;
 - (f) the holder of the mining claim fails to verify the expenses claimed within 30 days of a written request for verification being made by the Minister;
 - (g) the assessment work is a duplication of previous work performed and reported on the same mining claim; or
 - (h) the data presented in the work report consists predominantly of expressions of opinion or compilations of previously published material and previously accepted documents.
6. (3) If work claimed is rejected for assessment work credit under subsection (2), the Minister shall notify the holder of the mining claim in writing of the details of the deficiencies.
6. (4) If within forty-five days after the date of the notice, the holder of the mining claim files with the recorder a revised work report and the work credit requirements of this Regulation are met, the revised report shall be deemed to have been filed on the date the rejected work report was filed.

6. (5) If no notice of deficiency is given by the Minister within ninety days of the work report being filed, the assessment work described in the work report shall be deemed to be approved for assessment work credit.
7. (1) A holder of a mining claim, a person holding a beneficial interest in a mining claim or a person who is an optionee of record of a mining claim may perform on one or more unpatented, patented or leased mining claims any of the assessment work required to be performed in respect of contiguous unpatented mining claims recorded in the holder's name or in which the person holds a beneficial interest or is the optionee of record.
7. (2) Assessment work that is filed for assignment to contiguous unpatented claims shall be accompanied by a certified abstract of the holder's title for the patented or leased claim or proof of a beneficial interest in the claim.
7. (3) The maximum value of the assessment work that may be assigned from an unpatented claim to any contiguous unpatented claims under this section in any assessment year is \$12,000 times the number of 16-hectare units in the claim from which work is to be assigned.
7. (4) The maximum value of assessment work that may be assigned from any patented or leased mining claim in any assessment year is \$750 per hectare up to a maximum of \$192,000.
8. (1) Regional surveys and prospecting work performed on Crown land before the recording of a mining claim are eligible for assessment work credit if,
 - (a) they were performed no earlier than 12 months before the recording date; and
 - (b) a claim for the credit is submitted within one year following the recording date.
8. (2) Regional surveys and prospecting are eligible for assessment work credit at a rate of 100 per cent of the costs in relation to any mining claim subsequently staked and recorded in the area covered by the survey or prospecting and at a rate of 25 per cent in relation to any other Crown land which is part of the survey or prospecting.

8. (3) To obtain assessment work credit, the regional survey must be submitted in its entirety and must be accompanied by a survey report substantially in the form outlined in section 11.
8. (4) Prospecting work carried out in conformity with the Act and performed before the recording of a mining claim is eligible for assessment work credit at a rate of \$150 per day if a report, a plan and assay results are submitted substantially in the form outlined in section 9.
9. Prospecting work performed after the recording of a mining claim is eligible for assessment work credit at a rate of \$150 per day if the holder of the claim submits,
 - (a) a report describing in detail the nature and content of the work and the observations made during performance of the work;
 - (b) a plan of the mining claim drawn in ink on durable paper at a scale of between 1: 100 and 1: 5000 showing,
 - (i) the location of all traverses,
 - (ii) the location of all outcrops investigated and rock types, mineralization, and trenches
 - (iii) any established survey lines and stations,
 - (iv) any roads, trails and any other distinctive topographic features,
 - (v) a graphic or bar scale and the north direction and indicating whether the bearing is astronomic or magnetic,
 - (vi) the dates on which the work was performed,
 - (vii) the licence numbers and printed names and signatures of persons who performed the work,
 - (viii) the mining claim clearly identified by outline and claim post locations, and
 - (ix) the character of the overburden including boulders, clay, gravel, sand and the distribution of swamp, muskeg and forest cover areas along all lines traversed particularly where no outcrop is found and identified; and
 - (c) within 60 days after the submission of the report referred to in clause (a), the location, sample numbers and results of all sampling and assays performed.

10. (1) The types of physical work eligible for assessment work credit are,

- (a) manual and mechanical overburden stripping;
- (b) bedrock trenching;
- (c) shaft sinking;
- (d) driving adits;
- (e) open cutting;
- (f) digging pits;
- (g) recutting claim lines once every five years; and
- (h) dewatering of underground workings.

10. (2) Physical work submitted for assessment work credit shall be supported by,

- (a) a brief report of work outlining,
 - (i) the nature of the rocks and mineralization exposed,
 - (ii) all assay results of any samples taken,
 - (iii) the type of equipment used,
 - (iv) the hours and dates that the equipment was used and the operator worked and the hourly rates for each, and
 - (v) where there is any recutting of claim lines, the location of claim lines, claim posts and geographic, geologic and exploration features; and
- (b) a legible, uncoloured, detailed map of the workings on durable paper at a scale between 1: 5000 and 1: 10 suitable for photographic reproduction, showing,
 - (i) the location of trenches and stripping areas in relation to the mineral disposition boundaries, claim lines, claim posts and topography, and any survey, grid or co-ordinate lines, survey stations, roads or trails,
 - (ii) the dimension of workings, trenches and stripping,
 - (iii) the plan of sampling, and
 - (iv) a graphic or bar scale and the north direction and indicating whether the bearing is astronomic or magnetic.

10. (3) Line cutting and ground control surveys are eligible for assessment work credit only if accompanied by a report of a geological, geophysical, geochemical or other survey performed on the lines.

10. (4) Subsequent line cutting and ground control surveys are not eligible for assessment work credit unless new lines have been cut or the existing grid re-established for that survey.

10. (5) The grid or picket lines on the surveys shall be established and located with respect to base lines, claim posts and readily identifiable topographic features.
11. (1) A geotechnical survey relating to geological, geochemical, geophysical, airborne geophysical or regional survey work is eligible for assessment work credit if a typewritten survey report is submitted on good quality paper suitable for reproduction.
11. (2) The survey report shall,
- (a) contain a table of contents and a list of illustrations;
 - (b) identify the mining claims on which the survey was performed;
 - (c) give the names and addresses of the holders of the mining claims covered by the survey;
 - (d) identify the location of and means of access to the mining claims;
 - (e) contain a key map showing the claims surveyed in relation to identifiable topographic features and township boundaries or established survey lines, stations or markers;
 - (f) identify the author of the report;
 - (g) give the names and addresses of the persons who supervised the survey;
 - (h) give the dates during which the survey work was performed;
 - (i) give a summary of the exploration and development work performed on the mining claim;
 - (j) include all assays and analyses with appropriate certificates;
 - (k) give an interpretation of anomalous values and a recommendation for further exploration;
 - (l) provide a statement of qualifications of the person who conducted the survey and drafted the report;
 - (m) give the date of completion of the report and the signature of the author; and
 - (n) contain a list of references or a bibliography.

11. (3) Any geotechnical survey report submitted for assessment work credit shall be accompanied by an uncoloured map or plan on durable paper or transparencies and which,
- (a) utilizes a scale between 1: 5000 and 1: 10 or, in the case of a regional survey, between 1: 250,000 and 1: 500;
 - (b) shows traverse lines that have been run;
 - (c) shows a graphic or bar scale and the north direction and indicating whether the bearing is astronomic or magnetic;
 - (d) shows lakes, streams and other notable topographic features, and railways, roads, trails, power lines, pipelines and buildings;
 - (e) shows claim posts and boundary lines, township boundary lines, lot and concession lines, base lines, picket lines, traverse lines;
 - (f) shows survey stations and markers in relation to topographic features;
 - (g) shows any grid or co-ordinate lines established for reference purposes;
 - (h) shows the mining claim numbers of all mining claims covered by the survey; and
 - (i) shows the printed name of the author of the accompanying report.
11. (4) In areas where suitable base maps are not available, the key map may be plotted on aerial photographic mosaics at a scale between 1:50,000 and 1: 5,000.
12. (1) A geological survey report submitted for assessment work credit shall, in addition to the requirements of subsection 11(2),
- (a) contain a table of the rock types, lithologies and formations with their descriptions and illustrated on any accompanying maps and illustrations;
 - (b) describe the regional geology;
 - (c) give descriptions of significant geological structures;
 - (d) identify the character, attitudes and dimensions of any veins, mineralization and alteration found during the survey; and
 - (e) identify the sources of geological data contained in the report if obtained from sources other than the survey being reported.

12. (2) Any geological map or plan submitted in connection with a geological survey report shall, in addition to the requirements of subsection 11(3),

- (a) contain a table of rock types, lithologies and formations, with a descriptive list of the symbols used;
- (b) show outcrops designated by a letter or number corresponding to the rock type, lithologies and formations;
- (c) show the character of the overburden including boulder, clay, gravel or sand, and the distribution of swamp, muskeg and forest cover areas along all lines traversed, particularly where no outcrop is found and identified;
- (d) show all observed and interpreted folds, schistosity, actual and indicated faults, attitudes of flows and stratified rocks, including strikes and dips, and the direction in which they face, locations and attitudes of actual and interpreted contacts and other structural features;
- (e) show zones of shearing, alteration or mineralization and veins;
- (f) show the location of trenches, test pits, shafts and adits; and
- (g) show the location, direction and dip of drill holes.

12. (3) Where available, the dimensions and grade of the mineral deposit, assay plans, and analyses shall be submitted with the geological survey report.

13. (1) Any geochemical survey report submitted for assessment work credit shall, in addition to the requirements of subsection 11(2),

- (a) disclose and identify any geochemical data obtained in the report which has been obtained from any source other than the survey;
- (b) provide pertinent geological, topographic, ground water and surface water data with particular emphasis on the material being sampled;
- (c) describe the type, location and amount of the samples collected and the tools used in collecting the samples;
- (d) in the case of soil samples, indicate the depth or range of depth below the surface and the particular soil horizon sampled;
- (e) in the case of samples of living vegetation, plant, humus or peat, describe the samples as specifically and completely as possible including giving the plant name, species, part of the plant sampled, and location of the material sampled;
- (f) if only a part of the sample is to be used for analysis, indicate the procedure used to obtain this part of the sample or particular size fraction, and in any biochemical report indicate the sample reparation technique;

13. (1) (g) give the numbers of the samples and their analytical results, and state whether the analysis was made in a field laboratory, or a commercial laboratory and indicate the name of the laboratory;
- (h) give the weight of the sample used, extraction method, analytical method and elements determined;
- (i) tabulate separately the data obtained from duplicate sampling and analysis in order to estimate data variability;
- (j) indicate the total number of sample stations and kilometres of line traversed;
- (k) give an analysis of the geochemical data by mathematical or other means in order to establish background, threshold and anomalous values;
- (l) describe the possible causes of background and threshold and anomalous values, relating the anomalous values to known or speculated causes; and
- (m) give an evaluation of the significance of anomalous values together with recommendations for further exploration
13. (2) Any geochemical map or plan submitted in connection with a geochemical survey report shall, in addition to the requirements of subsection 11(3),
- (a) show all station points and values of the analyses obtained and units measured;
- (b) provide a legend or explanation to identify the units plotted with clear definitions of all abbreviations used on the map;
- (c) show profiled or contours as determined from the analytical results of the survey and give the vertical scale where profiles are used; and
- (d) show the printed name of the author of the related geochemical report.
13. (3) A geochemical survey is not eligible for assessment work credit unless all the analytical receipt results are submitted.

14. (1) Any geophysical survey report submitted for assessment work credit shall, in addition to the requirements of subsection 11(2),
- (a) identify the name, type and model of the instrument used to perform the survey, specifying the scale constant or sensitivity;
 - (b) describe the method of survey and the use of the instrument and operational technique;
 - (c) specify the total distance of line traversed;
 - (d) give the background count for radiometric readings;
 - (e) identify the sources of any geophysical or geological data contained in the report or shown on the accompanying illustrations which have been obtained from any source other than the survey being reported;
 - (f) give an analysis of the geophysical data to better define the geometrical and physical parameters of the anomalous zones;
 - (g) describe the possible causes of background and anomalous values relating the latter to known or speculated causes; and
 - (h) give a brief evaluation of the significance of anomalous values and recommendations for further exploratory work.
14. (2) Any geophysical map or plan submitted in connection with a geophysical survey report shall, in addition to the requirements of subsection 11(3),
- (a) show all station points, the values of readings taken and the units measured such as gammas, degrees, milliamps, milligals, milliseconds and ohm-meters, and dimensionless units such as percent and ratios;
 - (b) show basic numerical data and filtered data if available;
 - (c) indicate total radiation units or radiation units from uranium, thorium or potassium separately or in combination for radiometric surveys on land;
 - (d) show where appropriate, the location of a topographic feature as a main base control point;
 - (e) show profiles or contours as determined from the values obtained by the survey and give the vertical scale where profiles are used;
 - (f) contain a legend or explanation indicating how the measured units in clause (a) are plotted, anomalous zones are indicated and spurious suspect readings are identified, and indicating the radiometric background count; and
 - (g) contain an outcrop map where a radiometric survey has been performed.

15. (1) Any airborne geophysical report submitted for assessment work credit shall, in addition to the requirements of subsection 11(2),
- (a) identify the manufacturer, type and model of all instruments used in the performance of the survey specifying the scale contrast or sensitivity and the accuracy of the survey;
 - (b) specify the method of ground control related to flight path recovery, ground speed and the terrain clearance of the aircraft used in the performance of the survey; and
 - (c) specify the flight-line spacing, the total distance flown over the entire survey and the distance flown over the claims in respect of which the assessment work is to be credited.
15. (2) Any geophysical map or plan submitted in connection with an airborne geophysical survey report shall, in addition to the requirements of subsection 11(3),
- (a) contain a base map or photomosaic showing all lakes, streams and other notable topographic features, and all railways, roads, trails, power lines, pipe lines and buildings; and
 - (b) show, as appropriate, profiles or contours representing electromagnetic and magnetic responses determined from the readings obtained by the survey, stating the units measured with values indicated at convenient regular intervals along the flight lines.
16. (1) Exploratory drilling by core or non-core method, including diamond or core drilling, and other drilling such as percussion, reverse circulation and auger drilling, is eligible for assessment work credit if the holder of the claim submits legible drill hole logs, suitable for photographic reproduction, in duplicate, a drilling plan and a drill hole section.
16. (2) The drill hole logs shall,
- (a) identify the hole by number;
 - (b) give the mining claim numbers on which the hole is drilled;
 - (c) indicate the location of the drill hole collar in relation to the grid line co-ordinates, claim posts and identifiable geographic reference points;
 - (d) indicate the angle and azimuth of the hole;
 - (e) indicate the size of the core, or the diameter of the drill hole if bored other than by core drilling;
 - (f) state the starting and completion dates of the drilling;

16. (2) (g) state the name of the drill contractor;
(h) state the storage location of the core or drill sample material;
(i) indicate the thickness of overburden in the core drilling holes;
(j) adequately describe all geological units encountered in terms of their thickness, composition, colour, textures, structure, grain size, degree of sorting, mineralization and alteration, as appropriate;
(k) indicate the total depth of penetration of the drill hole in bedrock and unconsolidated material;
(l) indicate the location and type of all samples taken for assay or physical tests;
(m) state the date of completion of the log;
(n) contain the printed name and signature of the author of the logs; and
(o) provide a legend of all symbols or abbreviations used in the logs.

16. (3) The drilling plan map shall be on durable paper, suitable for photographic reproduction, and shall,

- (a) be at a scale between 1: 5000 and 1: 10;
- (b) contain a graphic or bar scale and show the magnetic north and the declination;
- (c) show all lakes, streams and other notable topographic features, and all relative cultural features such as railroads and hydro lines;
- (d) accurately show all claim boundaries, claim posts, township boundary lines, roads, lot and concession lines, base lines, picket lines and survey stations where identifiable, in relation to topographic features; and
- (e) show the location of drill hole collars and the numbers, angles and depths of all drill holes in relation to clauses (2) (c), (d) and (e) in such a manner that relocation of the hole is simplified.

16. (4) The drill hole section shall be on durable paper, suitable for photographic reproduction, and shall,

- (a) indicate the rock types or type of material intersected;
- (b) be at a scale between 1: 5000 and 1: 10;
- (c) contain a bar or graphic scale;
- (d) give the astronomic azimuth of the hole;
- (e) show co-ordinate lines corresponding with those shown on the drilling map;

16. (4) (f) indicate the total length of the hole;
(g) contain a legend for codes or symbols corresponding to unconsolidated materials, mineralization and structure;
(h) show the location of the unconsolidated materials and mineralization designated by code or symbol corresponding to those mentioned in clause (g);
(i) indicate the mining claim number on which the hole is drilled; and
(j) show the number and angle of the drill hole.
16. (5) Overburden drilling designed specifically to sample unconsolidated materials is eligible for assessment work credit if the holder of the claim submits legible drill hole descriptive logs, a drilling plan map and a drill hole graphic section.
16. (6) The drill hole descriptive logs shall be suitable for photographic reproduction, in duplicate, and shall,
- (a) describe the stratigraphy of the materials encountered as to type of material, thickness, colour, textures, structure, grain size, degree of sorting and mineralization; and
(b) describe the type of bedrock penetrated, if reached.
16. (7) The drilling plan map shall be on durable paper, suitable for photographic reproduction, and shall,
- (a) be at a scale between 1: 5000 and 1: 10;
(b) contain a graphic or bar scale and show the north direction indicating whether astronomic or magnetic;
(c) show all lakes, streams and other notable topographic features, and all railways, roads, trails, power lines, pipelines and buildings;
(d) accurately show all claim boundary lines, claim posts, township boundary lines, lot and concession lines, base line, picket lines and survey stations in relation to topographic features;
(e) show any co-ordinate lines established for reference purposes;
(f) show the location of the drill hole collars, the numbers and angles of all drill holes in relation to topographic features and survey, grid and co-ordinate lines; and
(g) show survey stations and markers in such a manner that they can be located on the ground by persons unfamiliar with the area.

16. (8) The drill hole graphic section shall be on durable paper, suitable for photographic reproduction, and shall,

- (a) illustrate the overburden, the rock types and mineralization intersected;
- (b) contain a graphic or bar scale;
- (c) give the azimuth direction of the hole indicating whether astronomic or magnetic;
- (d) show co-ordinate lines corresponding with those shown on the drilling plan map and UTM co-ordinates if possible;
- (e) indicate the total length of the hole;
- (f) contain a legend indicating by letters, numbers or symbols the unconsolidated materials and mineralization intersected in the hole;
- (g) show the location of the unconsolidated materials and mineralization designated by letters, numbers or symbols corresponding with those in the legend mentioned in clause (f);
- (h) show the number of the mining claim on which the hole is drilled; and
- (i) show the number of the drill hole.

16. (9) A holder of a mining claim who performs a program of diamond drilling or overburden drilling on it is eligible for an assessment work credit, in addition to that claimed elsewhere under this section, of 4 per cent of the cost of the drilling program if the appropriate resident geologist is advised that the holder does not wish to retain the core and samples.

16. (10) The holder of the mining claim shall,

- (a) dispose of the core and samples in an appropriate manner under the conditions of the holder's work permit issued under the Public Lands Act or the Forest Fires Prevention Act; or
- (b) if clause (a) does not apply and the resident geologist so requests, deliver the core and samples at the holder's sole expense to the nearest core library or to another location designated by the resident geologist.

17. The result of beneficiation, geochemical testing or other special studies of assaying and analyses are eligible for assessment work credit if the results;
- (a) include a summary listing all types of work performed, the costs involved for such work, and the mining claim numbers on which the work was carried out;
 - (b) where assays or analyses are reported, include the assay certificates and a plan at a scale of between 1: 5000 and 1:10 clearly identifying the location of each sample by number, letter or grid co-ordinate designation and showing the assay results; and
 - (c) where assays or analyses are reported for core or non-core drilling, indicate the intervals in metres at which the samples were taken.
18. The following are eligible for assessment work credit:
- 1. Airphoto and remote imagery interpretations.
 - 2. Downhole geophysics.
 - 3. Metallurgical testing and bulk sampling.
 - 4. Industrial mineral testing and marketing.
 - 5. Underwater geophysics.
 - 6. Microscopic studies.
 - 7. Environmental studies.
 - 8. Digitized base maps including Ontario Basic Mapping.
 - 9. Applications of new methodology or presentation of previously submitted field data which contribute new information to the geotechnical data base.
19. (1) No assessment work credit shall be given for rehabilitation work unless the Director of Mine Rehabilitation has previously approved the rehabilitation work.
19. (2) If the rehabilitation work submitted for assessment work credit is found to be absent, fraudulent or incomplete, the Director of Mine Rehabilitation shall notify the recorder and the Minister shall adjust the assessment work credit accordingly.

20. (1) If the area of a mining claim exceeds by more than 15 per cent the prescribed size under subsection 81(16) of the Act or the average area of the mining claims within a perimeter survey exceeds by more than 15 per cent the prescribed size for a mining claim under subsection 95(5) of the Act, additional annual assessment work shall be performed for the excess area proportional to that of the entire claim.
20. (2) Money may be paid in place of the additional assessment work required under subsection(1) at double the rate required for assessment work.
- 21.(1) The number of work days filed on an unpatented mining claim on the day this Regulation comes into force, up to a maximum of 200 days, shall be converted to an assessment work credit for that mining claim at the rate of \$22 for each day filed less \$400 for each assessment year passed since the claim was recorded.
21. (2) The amount calculated under subsection (1) shall be applied against assessment work requirements for that mining claim for the current assessment year and up to a maximum of five subsequent assessment years and the balance, if any, shall be deemed to be excess work credits banked under subsection 4(4).
21. (3) The work performed on an unpatented mining claim but unfiled on the day this Regulation comes into force may be filed after that date in accordance with this Regulation at the rate specified in subsections 4(2) and (3).

Commencement

22. This Regulation comes into force on the day that section 82 of the **Mining Amendment Act, 1989** comes into force.

MINE DEVELOPMENT AND CLOSURE UNDER PART VII OF THE ACT

Ontario Regulation 114/91 made under The Mining Act

1. In this Regulation, "crown pillar" means a rock mass of variable geometry that is situated above the uppermost underground workings of a mine and that serves to ensure permanently or temporarily the stability of surface elements and underground workings;

"milling" means the treatment of a mineral-bearing substance for the recovery of metals or the concentration of minerals.

2. (1) In this section,

"material" means rock, ore or any other substance excavated for the purpose of testing, mining or deposit evaluation, but does not include excavated overburden;

"surface stripping" means the removal of overburden to expose bedrock.

2. (2) For the purposes of this Regulation and Part VII of the Act, "advanced exploration" includes the following types of work:

1. Exploration carried out underground involving the construction or reconstruction of mine workings.
2. Extraction of material in excess of 500 tonnes.
3. Surface stripping on any mining lands, other than unpatented mining claims, of an area in excess of 10,000 square metres or displacement of material in excess of 10,000 cubic metres.
4. Surface stripping on any mining lands, other than unpatented mining claims, of an area in excess of 2,500 square metres or displacement of material in excess of 2,500 cubic metres, if any of the activity occurs less than 100 metres from a body of water.

Notice of Advanced Exploration or Mine Production

3. A notice of advanced exploration under subsection 141(1) of the Act shall be signed by the proponent or an agent of the proponent and shall be submitted at least thirty days before the proposed date of commencement or recommencement of advanced exploration.
4. A notice of mine production under subsection 142(1) of the Act shall be signed by the proponent or agent of the proponent.
5. If any portion of the work being carried out on a project deviates by more than twelve months from the dates specified in the project schedule submitted with a notice under subsection 141(1) or 142(1) of the Act, the proponent shall submit a new notice to the Director.

Public Notice

6. (1) Public notice under subsection 141(1) or 142(1) of the Act shall be given,
 - (a) by publishing a notice in a newspaper having general circulation in the area in which the project is located; and
 - (b) by holding a public information session in the area in which the project is located, unless a session has been previously held for the project within six months of the proposed date of commencement or recommencement of advanced exploration or mine production.
6. (2) The newspaper notice shall be published at least thirty days before the proposed date of commencement or recommencement of advanced exploration or mine production.
6. (3) The newspaper notice shall include the following:
 1. The name and address of the proponent.
 2. The name of the project.
 3. The name, address and telephone number of the authorized contact person.
 4. A description of the location of the project site and a map showing the location.
 5. A description of the project, indicating its nature and size and the nature and extent of related work to be carried out to complete the project.
 6. The proposed date of commencement or recommencement of advanced exploration or mine production.
 7. The time and location of the public information session for the project.

6. (4) The public information session shall be held,
 - (a) at least seven days after the date of publication of the newspaper notice; and
 - (b) at least twenty days before the proposed date of commencement or recommencement of advanced exploration or mine production.

Closure Plan

7. (1) A closure plan under Part VII of the Act shall be signed by the proponent or an agent of the proponent.
7. (2) The proponent shall submit eleven copies of the closure plan document to the Director.
7. (3) The closure plan shall set out the following:
 1. The name and address of the proponent.
 2. The location and address of the project site.
 3. The name of the project.
 4. The name and address of the person authorized to act on behalf of the proponent for purposes of obtaining the Director's acceptance of the closure plan.
 5. The nature of the proponent's mining and surface rights in the land on the project site.
8. (1) The closure plan shall include the following information with respect to the project site and areas to be affected by the project:
 1. The current conditions and uses of the site and areas.
 2. The expected conditions and uses of the site and areas after the project has been closed out and all rehabilitation measures have been completed.
8. (2) The information provided under subsection (1) shall include details of at least the following matters:
 1. Climate and local air quality.
 2. Mineralogy.
 3. Topography.
 4. Hydrology, including water quality.
 5. Soils.
 6. Plant and animal life.
 7. Previous activity that may have resulted in contamination of the site.

9. (1) The closure plan shall include details of the nature, extent and timing of the project and related work.
9. (2) The information provided under subsection (1) shall include details of at least the following matters:
1. The history of the project site.
 2. The mineralogy of ore and host rock.
 3. The expected mine life.
 4. Mining and milling processes.
 5. Expected rates of mining and milling production.
 6. The nature, location and expected size of all tailings impoundment areas and all piles of ore, concentrate, rock, overburden and waste.
 7. The nature and location of all structures, facilities and infrastructures.
 8. The nature and location of all mine openings to surface.
 9. The nature and location of all waste treatment systems.
 10. The storage of all petroleum products, chemicals, hazardous substances and toxic substances.
9. (3) The closure plan shall include a schedule of any development work and mining work that may cause surface disturbances or hazards.
10. (1) The closure plan shall include details of specific rehabilitation measures to be carried out progressively and at each stage of closure for each site or part of a site in order to attain the conditions and uses referred to in paragraph 2 of subsection 8(1).
10. (2) The information provided under subsection (1) shall include details of at least the following matters:
1. Security of the project site.
 2. Mine openings to surface.
 3. Crown pillars.
 4. Structures, facilities and infrastructures.
 5. Machinery and equipment.
 6. Ore, concentrate, waste, rock and overburden piles.
 7. Tailings impoundment areas, including associated structures and treatment systems.
 8. Other waste disposal or management sites, including associated structures and treatment systems.
 9. Storage of petroleum products, chemicals, hazardous substances and toxic substances.
 10. Dams and other drainage control structures.

10. (3) The closure plan shall include a schedule of rehabilitation work.
10. (4) The closure plan shall include details of alternative rehabilitation measures that have been considered.
- 11.(1) The closure plan shall include details of the monitoring program to be carried out during and following each stage of closure, including,
- (a) the nature, frequency and duration of the monitoring program;
and
 - (b) the procedures for verifying the attainment of the conditions and uses referred to in paragraph 2 of subsection 8(1).
- 11.(2) The closure plan shall include details of the long term site management program that will be implemented if the proposed rehabilitation work does not attain the conditions and uses referred to in paragraph 2 of subsection 8(1).
12. (1) The closure plan shall include details of the expected costs of carrying out the proposed rehabilitation measures, monitoring program and long term site management program.
12. (2) The information provided under this section shall include at least an expenditure schedule and an estimate of expected capital costs and operating costs.
12. (3) The information provided under this section shall be certified by the project geologist, a professional engineer or a public accountant.
13. The closure plan shall specify the form and amount of the financial assurances to be provided by the proponent in respect of the project.
14. The closure plan shall include an assessment of the effect of all mine openings on the stability of the surface areas above and adjacent to mining activity in order to determine whether the surface areas have been or are likely to be disturbed.

15. (1) The closure plan shall include the plans referred to in sections 16 and 17 but copies of the plans are not required to be submitted to the Director except as provided in subsections (4) and (5).
 15. (2) The proponent shall semi-annually review and revise the plans and shall make copies of them available for inspection at the project site or another location approved by the Director.
 15. (3) Copies of the plans shall be prepared at a legible scale and shall be digitized or microfilmed or suitable for being digitized or microfilmed.
 15. (4) The proponent shall promptly submit copies of the plans to the Director if the Director so requests.
 15. (5) If the project is placed in a state of inactivity or is closed out, the proponent shall promptly revise the plans to the date of inactivity or closure and submit copies of the plans to the Director.
16. The proponent of the project to which the closure plan relates shall prepare,
- (a) plans on a horizontal plane with separate drawings for each mining level, showing all underground workings, including shafts, tunnels, diamond drill holes, dams and bulkheads;
 - (b) plans on a vertical plane of all mine sections at suitable intervals and azimuths, showing all shafts, tunnels, drifts, stopes and other mine workings in relation to the surface, including the location of the top of the bedrock and the surface of any known body of water; and
 - (c) a plan showing,
 - (i) the position of all fixed electrical apparatus and communication systems,
 - (ii) the routes of all fixed power feeders and fixed branch feeders, and
 - (iii) the ratings of all electrical feeder control apparatus and equipment.

17. (1) The proponent of the project to which the closure plan relates shall prepare a surface plan showing the following:
1. The boundaries of the project site.
 2. The co-ordinates of the portion of the project site on which mining has been carried out.
 3. All bodies of water, roads, railways, power transmission lines, main pipelines, buildings, adits, surface workings, diamond drill holes, outcroppings of rock, dumps, tailings disposal sites, impoundment structures and mine openings to surface.
 4. All stoppings of mine openings to surface.
 5. The location of all crown pillars in relation to survey points on the surface.
17. (2) The surface plan shall show the boundaries of the project site,
- (a) if the site is in a subdivided township, in relation to the lot fabric;
 - (b) if the site is in an unsubdivided township, in relation to the nearest mile post on a surveyed township boundary; or
 - (c) if the site is in unsurveyed territory, in relation to the nearest mile post on a surveyed township boundary or the nearest base line or meridian line.
17. (3) The surface plan shall show the boundaries of the project site in relation to a co-ordinate control survey monument, if one exists within ten kilometres of the site.
17. (4) The measurements for boundaries referred to in subsection (2) or (3) shall be consistent with the accuracy standards for third order horizontal control surveys based on Ontario Specifications for Horizontal Control Surveys, 1979.
17. (5) The surface plan shall show the position and form of a permanent bench mark to which all elevations are related, and the permanent bench mark shall be related to,
- (a) the permanent bench mark of each property adjoining the project site; and
 - (b) a Canadian Geodetic Datum bench mark, if one exists within ten kilometres of the project site.

Annual Report

18. (1) The annual report under subsection 144(3) of the Act shall contain the following information:
1. The name and address of the proponent.
 2. The name of the project.
 3. The name and address of the senior operating manager.
 4. The name, address and telephone number of the authorized contact person.
 5. The nature and extent of rehabilitation work carried out over the past year.
 6. The nature and extent of rehabilitation work to be carried out during the next year.
 7. Any changes in conditions of the project that may affect the closure plan for the project during the next three years.
 8. The results of all monitoring described in the closure plan.
 9. Any changes in conditions that may affect the rehabilitation of an advanced exploration project that is not subject to a closure plan.
18. (2) The annual report shall include an assessment of the effect of all mine openings on the stability of the surface areas above and adjacent to mining activity in order to determine whether the surface areas have been or are likely to be disturbed.

Notice of Producing or Temporarily Suspended Mine

19. (1) A notice of a producing or temporarily suspended mine under subsection 147(1) of the Act shall be signed by the proponent or an agent of the proponent and shall contain the following information:
1. The name and address of the proponent.
 2. The name of the mine.
 3. The name and address of the senior operating manager.
 4. The name, address and telephone number of the authorized contact person for the mine and for each operation, site and sub-site.
 5. A description of the location and boundaries of the mine and a map showing the location and boundaries.
 6. The nature of the proponent's mining and surface rights in the land on the project site.
 7. Any anticipated closure events.
 8. A list of all relevant government certificates, orders, permits and approvals that relate to closure of the mine and that are currently in effect or applied for, by type, number and date of issue or application, as applicable.

19. (2) The notice shall contain a description of the nature and status of the project, including the following information:

1. Minerals produced.
2. Mining and milling operations, processes and rates of production.
3. The expected mine life.
4. The number of workers.
5. Operating schedules.

Notice of Declaration of Abandonment

20. A notice of declaration of abandonment under section 148(1) or 149(1) of the Act shall be sent by registered mail to the proponent at the proponent's last known address at least thirty days before,

- (a) an agent of the Crown enters onto the site to implement rehabilitative measures; or
- (b) the Lieutenant Governor in Council declares the proponent's lease to be void.

Rehabilitation Standards

21. (1) Before a project is placed in a state of temporary suspension, the proponent shall take all reasonable measures to prevent personal injury or property damage that is reasonably foreseeable as a result of the project being in a state of temporary suspension.

21. (2) The following are the minimum rehabilitative measures that shall be taken by the proponent:

1. All mine openings that are potentially dangerous shall be protected against inadvertent access.
2. All reasonable measures shall be taken to restrict access to the site and all buildings and other structures to authorized persons only.
3. All mechanical and hydraulic systems shall be left in a no-load condition.
4. All waste management systems shall be maintained as required by the closure plan.
5. All monitoring programs shall be continued as required by the closure plan.

21. (2)
6. All contaminated effluents shall be controlled as required by the closure plan.
 7. All petroleum products, chemicals and waste other than tailings and rock shall be made secure.
 8. All tailings and water impoundment structures and all rock piles, overburden piles and stockpiles shall be left in a stable and safe condition.
22. (1) Before a project is placed in a state of inactivity, the proponent shall take all reasonable measures to prevent personal injury or property damage that is reasonably foreseeable as a result of the project being in a state of inactivity.
22. (2) The following are the minimum rehabilitative measures that shall be taken by the proponent:
1. All shafts, raises and stopes open to surface shall be stopped with a reinforced concrete cap anchored to bedrock and capable of supporting a uniformly-distributed load of twelve kilopascals and a concentrated load of fifty-four kilonewtons and shall be supplied with a vent capable of preventing accumulations of gas beneath the cap.
 2. All portals of adits and declines shall be sealed in a manner to prevent unauthorized or inadvertent access.
 3. All mine openings to surface that create a hazard greater than the hazards associated with the natural topographic features of the area shall be stabilized and secured against inadvertent access.
 4. All surface areas disturbed or likely to be disturbed by mining shall be stabilized or protected against inadvertent access if such disturbance is likely to endanger the public or property.
 5. All reasonable measures shall be taken to restrict access to the site and all buildings and other structures to authorized persons only.
 6. All mechanical and hydraulic systems shall be left in a no-load condition.
 7. All tailings impoundment areas, landfill sites and other waste management sites and systems shall be monitored, maintained or decommissioned as required by the closure plan.
 8. All petroleum products, chemicals and waste shall be removed, disposed of, isolated or managed on site.
 9. All tailings and water impoundment structures and all rock piles, overburden piles and stockpiles shall be left in a stable and safe condition.
22. (3) The proponent shall inspect the site at least once every six months to ensure that all required rehabilitative measures are in place.

22. (4) The proponent shall take all necessary steps to maintain the required rehabilitative measures.
23. (1) Before a project is closed out, the proponent shall take all reasonable measures to prevent personal injury or property damage that is reasonably foreseeable as a result of the project being closed out.
23. (2) The following are the minimum rehabilitative measures that shall be taken by the proponent:
1. All shafts, raises and stopes open to surface shall be stopped with a reinforced concrete cap anchored to bedrock and capable of supporting a uniformly distributed load of twelve kilopascals and a concentrated load of fifty-four kilonewtons, and shall be supplied with a vent capable of preventing an accumulation of gas beneath the cap.
 2. All portals of adits and declines shall be sealed off in a manner to prevent unauthorized or inadvertent access.
 3. All mine openings to surface that create a hazard greater than the hazards associated with the natural topographic features of the area shall be stabilized and secured against inadvertent access.
 4. All surface areas disturbed or likely to be disturbed by mining shall be stabilized or protected against inadvertent access if such disturbance is likely to endanger the public or property.
 5. All buildings, power transmission lines, pipelines, railways, airstrips and other structures shall be dismantled and removed from the site or otherwise disposed of.
 6. All machinery, equipment and storage tanks shall be removed from the site or otherwise disposed of.
 7. All transportation corridors shall be closed off and re-vegetated.
 8. All concrete structures, foundations and slabs shall be removed or covered by overburden and re-vegetated.
 9. All petroleum products, chemicals and waste shall be removed, disposed of, isolated or managed on site.
 10. All landfill sites and other waste management sites shall be rehabilitated.
 11. If petroleum products, chemicals and waste have been stored or transferred during the life of the operation, the soils in the immediate vicinity of the storage sites shall be tested and any contaminated soils shall be controlled or disposed of.
 12. All tailings impoundment areas, rock piles, overburden piles and stockpiles shall be rehabilitated or treated to ensure stability, erosion control, and effluent quality.

23. (2) 13. All tailings, water and other control structures shall be either breached or made stable against any static and dynamic loading to which they may be subjected.
14. All watercourses on the site shall be either restored to their original courses or directed to new courses that will sustain themselves in the future without maintenance and that are consistent with the intended future use of the land.
15. All disturbed sites shall, to the extent practicable, be re-vegetated.
24. A proponent is not required to carry out a specific rehabilitative measure referred to in subsection 21(2), 22(2) or 23(2) in circumstances where,
- (a) it is impracticable to carry out the measure;
 - (b) the measure would adversely affect the environment; or
 - (c) the measure is inconsistent with a land use control set out in a municipal by-law made under Part V of the Planning Act, 1983 or an order of the Minister of Municipal Affairs made under Part V of the Planning Act, 1983.
25. (1) The proponent of a project shall have a professional engineer conduct an evaluation to assess the long-term stability of the work described in paragraphs 1, 3, 4 and 9 of subsection 22(2) and paragraphs 1, 3, 4, 12 and 14 of subsection 23(2).
25. (2) The proponent shall submit to the Director a copy of a report on the evaluation prepared by the engineer who conducted it.

Commencement

26. This Regulation comes into force on the day section 82 of the **Mining Amendment Act, 1989** comes into force.

FEES

Ontario Regulation 112/91 made under The Mining Act

1. The following fees are payable under the Act:

1. For inspecting a document filed with a recorder N/C
2. For a prospector's licence or renewal of a prospector's licence \$ 25.00
3. For a substituted prospector's licence, including fee for affidavit sworn in the recorder's office \$ 5.00
4. For recording a mining claim under section 44 of the Act or for filing an application to record a mining claim under subsection 46(2) of the Act:
 - i. For each claim composed of one unit of 16-hectares or less \$ 20.00
 - ii. For each claim composed of more than one but less than seven 16-hectare units \$ 40.00
 - iii. For each claim composed of seven or more 16-hectare units \$ 60.00
5. The fees for metal tags to be used in staking out claims are as follows:
 - i. For each set of four corner post tags \$ 2.00
 - ii. For each duplicate corner post tag \$ 2.00
 - iii. For each line post tag \$.50
6. For recording a dispute, per claim \$ 50.00
7. For filing a notice of re-staking, per claim \$ 10.00
8. For recording an order of the Commissioner or an order in an appeal from the Commissioner, per order \$ 10.00
9. For recording a certificate of a pending proceeding, per claim \$ 10.00
10. For filing a notice of abandonment or partial abandonment, per claim ... \$ 10.00
11. For recording a recorder's order extending the time for performing and filing a report of assessment work, per claim \$ 10.00
12. For submitting an application for a lease: application fee, per lease \$ 50.00 plus fee for each 16-hectare unit of land (\$4,400.00) less the dollar value of assessment work recorded to date

13. For consenting to the transfer of a mining lease
or licence of occupation or any interest in
a lease or licence, per lease or licence\$ 50.00
14. For approving the renewal of a mining lease
or licence of occupation, per lease or licence\$ 50.00
15. For submitting an application to exchange a
lease for replacement leases, per replacement lease \$250.00
16. For an inspection of mining claims proposed to
be included in a perimeter survey, per claim\$ 50.00
17. For a certificate of a recorder's decision \$ 5.00
18. For a certified copy of an order or judgement of the Commissioner \$5.00
19. For filing a notice of appeal from a decision of the Commissioner
under section 134 of the Act, per notice\$ 25.00
20. For appealing a requirement, order or declaration of a Director
of Mine Rehabilitation\$ 50.00
21. For appealing a decision of the Commissioner under Part VII of the Act
to the Minister\$ 50.00
22. For issuing a licence of occupation, lease or patent under subsection 176(3)
of the Act \$750.00
23. For submitting an application for an order of the Commissioner
requiring a co-owner to pay the owner's share of rents or expenditures
or mining land tax\$ 50.00
24. For filing a notice of intention to retain an interest in mining lands
in the form of unpatented mining claims\$ 50.00
25. For an order of the Lieutenant Governor in Council under section 185
of the Act revoking, cancelling or annulling the forfeiture of any mining lands
or mining rights or the termination of a lease or relieving from forfeiture
any mining claims, per application \$750.00
26. For filing a transfer of the whole of or any interest in a mining claim,
per claim\$ 10.00

27.	For filing an agreement, power of attorney, writ of execution or any other instrument affecting a recorded claim, right or interest, per claim.....	\$ 10.00
28.	For a copy of a document or record obtained from the recorder's office, per page	\$ 1.00
29.	For a certified copy of a document, record, or inspection report obtained from the recorder's office, per page	\$ 2.00
30.	For an abstract of entries in a record book respecting a mining claim	\$ 1.00
31.	For a certified abstract of entries in a record book respecting a mining claim	\$ 2.00
32.	For an affidavit sworn in the recorder's office	\$ 5.00
33.	For the receipt and handling in a recorder's office of a document filed by telephone transmission	\$ 5.00
34.	For sending a document by telephone transmission from a recorder's office, per page	\$ 2.00

Commencement

2. This Regulation comes into force on the day section 82 of the **Mining Amendment Act, 1989** comes into force.





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